

ON REPEALING THE ACT OF 1819, FOR THE CIVILIZATION
OF THE INDIANS, &c.

JUNE 10, 1842.

Read, and laid upon the table.

Mr. COOPER, of Pennsylvania, from the Committee on Indian Affairs, submitted the following

REPORT:

By a resolution of the House of Representatives, adopted on the 25th day of January last, the Committee on Indian Affairs were "instructed to inquire into the amount of money expended under and by virtue of the act making provision for the civilization of the Indian tribes adjoining the frontier settlements, approved 3d March, 1819, and to inquire into the expediency of repealing that act; and, also, of discontinuing such annual appropriations, for similar purposes, under various treaties with several Indian tribes, as are dependent on the discretion of Congress or the Executive."

The committee have given to the subject involved in the resolution the consideration which its importance required, and herewith present the facts and conclusions to which their inquiries have led them.

The resolution presents two branches of inquiry:

First, as to the amount of money expended under the provisions of the act of 1819, and the expediency of repealing the said act.

Second, as to the expediency of discontinuing such annual appropriations, under treaties with several of the Indian tribes, as are dependent on the discretion of Congress or the Executive.

By the act of March 3d, 1819, it was enacted, "That, for the purpose of providing against the further decline and final extinction of the Indian tribes adjoining to the frontier settlements of the United States, and for introducing among them the habits and arts of civilization, the President of the United States shall be, and he is hereby, authorized, in every case where he shall judge improvement in the habits and condition of such Indians practicable, and that the means of instruction can be introduced with their own consent, to employ capable persons, of good moral character, to instruct them in the mode of agriculture suited to their situation; and for teaching their children in reading, writing, and arithmetic; and for performing such other duties as may be enjoined, according to such instructions and rules as the President may give and prescribe for the regulation of their conduct in the discharge of their duties."

For carrying into effect the above provisions, "the annual sum of \$10,000 was appropriated." The object of this appropriation is set forth in the act itself. It was intended to prevent "the further decline and final extinction of the Indian tribes," by educating them, and introducing amongst them the arts and habits of civilized life. At a very early period in the history

of the Government, the policy continued and extended by this act was adopted. In 1789 it was recommended by Gen. Knox, then Secretary of War, in a report made to the President of the United States on the subject of our Indian relations. In speaking on the subject he says: "In future, the obligations of policy, humanity, and justice, together with that respect which every nation sacredly owes to its own reputation, unite in requiring a noble, liberal, and disinterested administration of our Indian affairs."

After lamenting the decline and extinction of numerous tribes, by contact with civilization, without being civilized, he continues: "How different would be the sensation of a philanthropic mind, to reflect that, instead of exterminating a part of the human race by our modes of population, we had persevered through all difficulties, and at last had imparted our knowledge of cultivation and the arts to the aborigines of the country, by which the source of future life and happiness had been preserved and extended. But it has been conceived to be impracticable to civilize the Indians of North America. This opinion is probably more convenient than just.

"That the civilization of the Indians would be an operation of complicated difficulty, that it would require the highest knowledge of the human character, and a steady perseverance in a wise system for a series of years, cannot be doubted. But to deny that, under a course of favorable circumstances, it could be accomplished, is to suppose the human character under the influence of such stubborn habits as to be incapable of melioration or change—a supposition entirely contradicted by the progress of society from the barbarous ages to its present degree of perfection.

"While it is contended that the object is practicable, under a proper system, it is admitted that it could not be effected in a short period. Were it possible to introduce among the Indian tribes a love for exclusive property, it would be a happy commencement of the business. This might be brought about by making presents, from time to time, to the chiefs and their wives, of sheep and other domestic animals; and if, in the first instance, persons were appointed to take charge of and teach the use of them, a considerable part of the difficulty would be surmounted."

Here is the recommendation of a system of policy which was soon afterwards adopted. In a treaty negotiated by General Knox, on the 7th day of August, 1790, between the United States and the Creek nation of Indians, it was stipulated, in order "that the Creek nation may be led to a greater degree of civilization, and to become herdsmen and cultivators, instead of remaining in a state of hunters, the United States will, from time to time, furnish gratuitously the said nation with useful domestic animals and implements of husbandry. And further to assist the said nation in so desirable a pursuit, and at the same time to establish a certain mode of communication, the United States will send such and so many persons, to reside in said nation, as they may judge proper, not exceeding four in number, who shall qualify themselves to act as interpreters."

This treaty was ratified by the Senate on the 13th day of August, 1790.

On the 2d day of July, 1791, a treaty, containing a stipulation in the same words, was concluded between the United States and the Cherokee Indians, and was ratified by the Senate on the 11th day of November following. This humane policy thus begun, after having received the sanction of Washington, in a communication made by him to the Senate on the 26th day of March, 1792, on the subject of the conferences held by Colonel Pickering with the Five Nations the year before, at the Painted

Post, has continued to govern the United States in their relations with the Indians ever since.

The authors of this system of policy were well acquainted with the character of the Indians, the causes of their decline, and the means of preventing it. They regarded the introduction of civilization amongst them as the only means of saving from extinction the remnant of tribes which wars and wants and vices had spared. This they endeavored to effect by providing them with clothing, domestic animals, implements of husbandry, and teachers to instruct them in the arts of civilized life. This policy was continued through every administration, and in 1819 was extended by the act to which the inquiry of the committee has been directed. By that act the annual sum of ten thousand dollars was appropriated to enable the President "to employ capable persons, of good moral character, to instruct them in the mode of agriculture suited to their situation, and for teaching their children in reading, writing, and arithmetic." To advance these objects, the sum thus appropriated has been expended, under the direction of the President. The results of this expenditure have not been, in all instances, satisfactory; nor was it to be expected that great improvement would be always apparent. It was foreseen that a long time of persevering effort would be required for the accomplishment of the object. It is difficult to change the habits of the savage. Under the most favorable circumstances, the melioration wrought upon the first generation, on whom the attempt is made, must be slight. A little of the influence of civilization may be imparted to it, but it is only by perseverance, extending to the succeeding generations, that barbarous customs and habits are made to give place to those of civilized life.

But circumstances, instead of favoring the advancement of Indian civilization, have greatly retarded it. The unsettled condition of the tribes; their removal from their old homes, often by compulsion; the discontent thus occasioned, together with the difficulties attendant on the settlement of a new and at first unhealthy country, have been adverse to the improvement of their condition. Yet the effort to promote this object has been far from unsuccessful. Several of the tribes have made the most gratifying progress. Agriculture, as a means of subsistence, has superseded that of the chase; the mechanical arts begin to be cultivated; schools have been established; and, by the united influence of these causes, the habits of savage life are fast disappearing. Thus the object of the appropriation made by the act of 1819 promises to be realized. The experiment which has been made proves that the Indian tribes are capable of civilization, and that its introduction amongst them will prevent their extinction and decline. That it will have this effect is proved by the fact that those tribes which have become settled in the West, and have made the greatest progress in the arts of civilized life, are beginning to increase in numbers. And, in future, it is reasonable to conclude that their improvement will be more rapid. The achievement of the first step towards the civilization of a barbarous people is the most difficult. In the case of the Indians, the difficulty was aggravated by extrinsic obstacles of the most formidable character, the greatest of which were their unsettled condition and the discontent occasioned by the effort necessary to compel them to quit their former abodes. These obstacles have been mainly removed. The Indians are now permanently established in a country of their own, beyond the frontier settlements of the United States, where, it is to be

hoped, the rapacity of white men will disturb them no more. Since their removal to the West, several of the tribes have adopted forms of government and social institutions, framed upon the model of our own. This is a good beginning, and one which promises to end in the fullest success, if the Government of the United States should persevere in a course of liberal policy towards them. As yet, the pecuniary resources of none of the tribes, with perhaps a single exception, are equal to the expenditures necessary to ensure success to the effort which they are making to elevate their people to the dignity of civilized men. The committee are therefore of opinion that it would be both unwise and unjust to discontinue the appropriation, when the object for which it was made is in so fair a way to be realized. And, in adopting this conclusion, the committee have not lost sight of the desire, so strongly manifested by Congress, to retrench the expenses of the Government, in all cases where it is practicable to do so, without a sacrifice of the honor or interests of the country. But, in their judgment, no consideration of economy in the expenditures would justify the discontinuance of this appropriation at the present time. There is nothing in the condition of the country which requires that it should stop short in the course of humane and enlightened policy which it has long pursued, and which it adopted at a period when its resources were scarcely one-half what they now are, and when its public debt was over \$92,000,000, being more than five times as much as it is at present.

The committee might proceed to show that the schools which have been established amongst the Indians require this fund for their support. They might likewise urge other considerations of great force, tending to show the inexpediency of repealing this act at the present time; but, as they are as applicable to the second branch of inquiry proposed by the resolution as to this, they forbear to notice them here; and will content themselves by presenting the following statement, contained in a letter from the Commissioner of Indian Affairs, showing the amount of money expended under the act of 1819, and also the objects to which it has been applied:

WAR DEPARTMENT,

Office Indian Affairs, June 4, 1842.

SIR: I beg leave to make the following report on the letter of the Hon. J. Cooper, chairman of the Committee on Indian Affairs, of 29th ultimo, referred by you to this office. The resolution of the House of Representatives, referred to in Mr. Cooper's letter, was duly received at this office, and in consequence of the accounts and papers on which allowances were made out of the fund for civilization of Indians being filed in the office of the Second Auditor, a compliance could not be perfected without first obtaining the facts from his files; and to that end the resolution was referred to the Auditor. The numerous calls, by resolutions of the two Houses of Congress, and the committees thereof, have, as I am informed, prevented so prompt a reply as could have been desired, and would under other circumstances doubtless have been given by that officer; and at this time it is believed efforts are making to furnish the materials from the files in that office, but when they will be ready cannot be precisely stated.

The subject-matter being one of great importance, I hasten to communicate for your information, in the absence of the papers as before stated, some general facts, which may have the effect to satisfy the committee of the propriety and expediency of continuing the appropriation for the ob-

jects originally designed ; and these are presented rather as an estimate nearly approaching to the truth, as I believe it will be found on a comparison with the Auditor's report when furnished.

The whole amount appropriated since March, 1819,	
and to 1841, inclusive, being twenty-three years, is	\$230,000
The balance remaining in the Treasury undrawn, but	
applicable to the payment of claims for donations	
promised under regulations of the Department, being	15,500
Leaves	-
actually expended within the time above mentioned.	
The allotment to benevolent societies may be	
averaged for twenty-three years, at \$7,000 ; for	
education purposes	161,000
And the amount paid out to the agents of societies, for	
the erection of buildings and school-houses within	
the Indian country during the same period, say	53,500
	<hr/>
	214,500
The amount supposed to have been expended at the	
various stations, by the missionaries, in the erection	
of houses for teachers and schools, and the opening	
of grounds for cultivation, as estimated by the re-	
turns heretofore made to the department	150,000
And for the expenses of education at the schools, the	
average number of 1,000 scholars, at say \$15 each,	
including the expenses in many cases of clothing	
and board, &c., but not general, say	*245,000
Making	-
Amount appropriated by the Government and expend-	
ed, as above	<hr/>
	395,000
	<hr/>
	214,500
	<hr/>
Showing the estimated amount of contributions and	
expenses of the several societies for the civilization	
of Indians	<hr/>
	180,500

It is thought that the preceding estimates are reasonable, and they appear to show, that for every dollar appropriated by the Government, individual exertions have contributed nearly as much, besides taking upon themselves the expenditure of the funds without any other cost. The progress made and now making, under recent instructions from the Department, justify the expectation that the benevolent efforts of the Government, so ably seconded by the missionary societies, will exhibit to the world that the civilization of the Indian tribes is practicable, and that a short period more will demonstrate it.

The several benevolent societies which have been engaged in the work of civilization, are : The United Brethren, American Board of Commissioners for Foreign Missions, Baptist General Convention, Foreign Missionary Society, Methodist Conference, Episcopal Society, Catholic Society, and Friends, who have stations and schools amongst the Cherokees, Choctaws, Pottawatomes, Creeks, New York Indians, Osages, Wyandots, Chickasaws,

* It will be seen that this sum is stated at \$100,000 less than it is thought it might be put at ; but as it is only an estimate, and some of the treaty funds for education may possibly have contributed partially, it was desirable to keep within unexceptionable limits.

Ottowas and Chippewas, Miamies, Winnebagoes, Menomonies, &c., say not less than sixty schools.

To cut off the means of fulfilling the obligations of the Government to this good work of humanity in the midst of its usefulness and bright hopes of the future, and turning adrift the agents of the benevolent societies engaged actively in the civilization of Indian tribes, would be severity not anticipated either by these religious associations or the Department, and end in deeply injuring, if not blighting entirely, the prospects of the ignorant, poor, and dependent Indian.

I have the honor to be, very respectfully, your obedient servant,

T. HARTLEY CRAWFORD.

Hon. JOHN C. SPENCER,
Secretary of War.

The following is a list of Indian schools, showing the number of teachers and scholars.

No. of schools.	Tribes.	Scholars.	Teachers.	Total scholars.	Where situated.
8	Chippewas -	298	16		
5	Ottowas -	97	10	395	In Michigan, 13 schools, 26 teachers.
1	Winnebagoes	52	2	-	Reported as in Wisconsin.
2	Oneidas -	65	4		
1	Menomonies -	12	2		
1	Stockbridge -	50	2		
3	Chippewas -	88	6	267	Wisconsin.
1	Various north-western tribes	78	6		
2	Shawnees -	43	4		
1	Delawares -	14	2		
1	Munsees -	21	2	156	St. Louis superintendency.
1	Sioux -	101	5	101	Iowa superintendency.
1	Creeks -	35	2		
7	Choctaws -	163	14	198	Western superintendency.
1	Wyandots -	35	2	35	Ohio.
1	Choctaws -	52			
	Pottawatomies	21			
	Chickasaws -	26			
	Creeks -	10	6		
	Quapaws -	2			
	Seminoles -	3			
	Miamies -	1			
	Cherokees -	6	-	131	Choctaw academy, Ky.
	Sacs, Foxes, &c.	5			
	Chippewas, Ottowas, and Pottawatomies -	5			
37			85	1,283	

RECAPITULATION.

Michigan -	-	-	13	schools,	26	teachers,	395	pupils.
Wisconsin	-	-	8	do.	16	do.	267	do.
St. Louis superintendency	5	do.	14	do.	156	do.		
Iowa	-	-	1	do.	5	do.	101	do.
Western superintendency	8	do.	16	do.	198	do.		
Ohio	-	-	1	do.	2	do.	35	do.
Choctaw academy	-	-	1	do.	6	do.	131	do.
			<u>37</u>		<u>85</u>		<u>1,283</u>	

The second branch of inquiry presented by the resolution relates to the expediency of discontinuing such annual appropriations for similar purposes (the education and civilization of the Indians) as have been made in pursuance of treaties with several of the tribes, but which appropriations are dependent on the discretion of Congress or the Executive.

This inquiry has been made at the expense of considerable labor. It involved the necessity of a careful examination of all the treaties (amounting to more than three hundred and fifty in number) which have been concluded with the Indian tribes; for, without such an examination, the committee would have been unable to render a satisfactory reason, either for the continuance or discontinuance of the appropriations which have been annually made in pursuance of the stipulations contained in the treaties.

It was necessary that the amount and object of these appropriations should be ascertained. It was likewise requisite to be informed, as far as practicable, what was the understanding of the parties to the treaties, as to the permanency of the appropriations; also, the effect which their discontinuance by Congress would be likely to produce. The inquiry has been pursued in all these branches, and the result of it is presented in the subsequent pages, in a tabular form, showing the amount of the appropriations, the objects to which they are applicable, together with such other information as the committee deemed necessary to illustrate the propriety of the conclusion to which they have arrived.

By various treaties concluded between the United States and several of the Indian tribes, the former have agreed to furnish the latter, annually, with a certain sum of money for purposes of education; and, in some instances, with mechanics, implements of husbandry, and farmers to instruct them in the art of agriculture. The continuance of these appropriations and supplies, in some cases, depends on the discretion of Congress; in others, on that of the President; and all of them are to be continued so long as the one or the other shall deem best for the promotion of the interest of the Indians. There are upwards of twenty treaties containing such provisions; and the sum necessary to be appropriated by Congress to carry them into effect amounts, annually, to \$40,380.

The objects of these provisions are set forth in the treaties, and will be best understood by citing one, which may be taken as a sample of the others. In a treaty made with the Quapaw tribe, it is declared that "Whereas it is the policy of the United States, in all their intercourse with the Indians, to treat them liberally as well as justly, and to endeavor to promote their civilization and prosperity, it is further agreed that, in consideration of the important and extensive cessions of lands made by the Quapaws to the

United States, and in view of their present impoverished and wretched condition, they shall be removed to their new homes at the expense of the United States," &c. "And the United States agree to provide a farmer to reside with them, to aid and instruct them in their agricultural pursuits, and a blacksmith to do their necessary work, with a shop and tools, and iron and steel, not exceeding one ton per year. The United States also agree to appropriate one thousand dollars per year for education purposes, to be expended under the direction of the President of the United States; the farmer and blacksmith, and the above appropriation for education purposes, to be continued only as long as the President of the United States deems necessary for the best interests of the Indians."

From the clause of the treaty just quoted, it will be seen that the provisions stipulated for the benefit of the Indians are not to be regarded as mere gratuities. They were inserted, partly at least, "in consideration of the important and extensive cessions of lands" made by them to the United States. It is true there is no legal obligation, so to speak, on the part of the United States, to continue these provisions longer than the President shall deem "necessary for the best interests of the Indians." But, until these provisions shall cease to promote their "best interests," good faith and the requirements of humanity unite to forbid their discontinuance. In construing treaties concluded between a powerful and enlightened nation and feeble savage tribes, the latter should have the benefit of a favorable interpretation; and perhaps it would be but right, in giving effect to the stipulations, to look beyond the letter, to what was the probable understanding of the weaker and less intelligent party. If this should be done, we will scarcely fail to be forced to the conclusion that the Indians did not regard these provisions as mere gratuities, dependent on the discretion of the President for their continuance, but as permanent annuities, to be paid to them in consideration of the cession of their lands. Nor is this a strained or far-fetched conclusion; for the letter of the condition is, in almost every instance, that the appropriations, &c., shall be continued so long as the President or Congress shall deem "necessary for the best interests of the Indians." The latter, no doubt, believed that their "best interests" would always continue to be promoted by the receipt of the sums and articles agreed to be furnished, and that the President and Congress would view the subject in the same light as themselves; and, not possessing very accurate or well-defined notions of the difference between conditional and unconditional stipulations, it would not be wonderful if they regarded the appropriations of money, &c., as substantial parts of the consideration for which their lands were ceded, and which were intended to be permanent. That they did so understand them there is no doubt. That they were so intended by both parties is highly probable; for it would have been unwise on the part of the United States to agree to appropriations, the discontinuance of which, under the circumstances, would hardly fail to produce difficulty and dissatisfaction. We repeat, therefore, that it is probable the appropriations stipulated to be made were intended to be permanent, and that the condition was only annexed to procure the more hearty co-operation of the Indians in the effort which was making for their civilization, by holding out to them the advantage of the appropriation, as long as they continued to evince a disposition and capacity for improvement.

But, independently of this view of the subject, the committee are of opinion that it would be wrong to discontinue, at the present time, the appro

priations made in pursuance of these treaties. To do so would be an abandonment of the policy so long persevered in by the Government, for the civilization of these people. This could not be justified, except on the ground that their improvement is hopeless; and experience has demonstrated the contrary. The advancement of several of the tribes has been rapid. Industry, plenty, and the arts of civilized life, have taken the place of idleness and want; and it is to be hoped, that while the influence of these examples will not be lost on the less cultivated tribes, it will encourage the Government of the United States to persevere until its benevolent object shall have been accomplished by the civilization of the whole. These people are entitled to our deepest sympathies. They have suffered many wrongs, for which we owe them redress; and the only way to make such redress is to bestow upon them the means of education, and to instruct them in the arts of industry and peace. When we shall have done this, we will have performed our duty; and, in conferring upon them the blessings of civilization, we will atone for the wrongs which we have done them, by compelling them to abandon the graves of their ancestors, around which they lingered with such enduring affection.

The following abstract from the report made to the Commissioner of Indian Affairs, in September last, by Captain William Armstrong, acting superintendent of the Western Territory, will serve to exhibit the condition and prospects of several of the tribes. The advancement which they have made, and the improvement of their condition, cannot but be gratifying to all who feel an interest in the welfare of these people.

Captain Armstrong says: "A gradual and steady improvement in many portions of the Indian country is visible, while others evince a great indifference in their condition. A reformation among the Indians must be slow; old prejudices are to be overcome, habits of industry substituted for idleness, laws established where the will of the chief governed. That favorable changes to some extent are taking place, with several of the Indian tribes, does not admit of a doubt. That this is to be attributed mainly to a change of residence is equally true. Located as they now are beyond the limits of any State or Territory, each tribe feels the security they have in their present homes, not heretofore enjoyed, based upon the guaranty of the Government of the United States. Feeling this security, they have every incitement to improve their general condition.

"The Cherokees are considered as the most enlightened Indian tribe, their intercourse with the whites having been of a more general character. They attended earlier than the other tribes to the education of their people, and enacted laws and regulations for their government, in advance of their red brethren. The dissensions and difficulties which so unhappily divided the Cherokees, after the emigration of the great body of the people, seem to be amicably adjusted, by a union of all parties.

"The national council convenes on the first Monday in October annually. The legislative department is composed of two bodies—the committee and the council.

"The Cherokees are governed by a constitution, ratified by the people. Their laws are regularly printed, and based upon equal rights and privileges. Judges and sheriffs, and other officers, are elected, to execute the laws. Trials by jury for capital offences are guaranteed to each individual. Administrators and executors are appointed to settle estates, and, indeed, every thing is calculated to give protection to the people and stability to the

laws. Under circumstances so favorable, with a constitution and a code of laws in successful operation, the Cherokees may be considered as having established a permanent Government. The country they occupy is sufficient in extent for a much larger population than the present Cherokees number. A portion of the land is prairie, very fertile, produces corn, wheat, oats, and also affords a fine range for stock, of which the Cherokees own quite extensively, consisting of horses, hogs, cattle, and sheep. In some portions of the country fine dwellings have been erected, and even the common Cherokees have comfortable houses to live in. Mechanics of various kinds are to be found in the nation. A large majority of the merchants are natives, who carry on trade with their people. Salt water is found in several places, particularly at the Grand Saline, which has been worked to some extent. Preparations are making to manufacture salt at this place upon a more extended scale; and, from the quantity and strength of the salt water, there will be no difficulty in manufacturing very largely. Lead and iron ore are said both to be found in the Cherokee nation, which no doubt, in a few years, will be realized, when the resources of the country become further developed. From their locality, bordering on a portion of the States of Arkansas and Missouri, with the Arkansas river running through a portion of their territory, notwithstanding the severe laws prohibiting the introduction of spirituous liquor into the Indian country, it has been found thus far impracticable to prevent large quantities from being introduced. This not only strips them of the money that should be beneficially applied, but it produces dissensions amongst themselves, and is a source of incomparable evil."

Since this report was made, the Cherokee legislature has enacted a law prohibiting the introduction and sale of spirituous liquors, under very severe penalties.

"The Choctaws, like their brother Cherokees, have made great efforts to throw off the Indian life. In many parts of the nation, and particularly on Red river, the most pleasing anticipations have been realized. Schools are to be found in the country, and a general inclination for the education of the people. This is one of the principal agents by which any tribe of red people are to be reformed. Acting upon this belief, aided by the exertions of some pious and useful missionaries, the Choctaws, since their emigration, have made very rapid strides towards civilization. They have formed a constitution, upon which their laws are based, which lately has been printed both in English and Choctaw, and circulated through the nation. The general council convenes annually on the first Monday of October, and usually remains in session two weeks. The council which convenes in a few days will be an interesting one, as the Chickasaws, for the first time since their emigration, have elected councillors, and come into the general council, as the fourth district of the nation, with a full representation. The general council consists of forty members, elected from the four districts, according to population, and makes the only representative body. From their numbers a speaker is elected, who presides over the deliberations of the body; a clerk is also elected, who keeps a journal of the proceedings. Each of the four districts has a chief, who sit as a body for the approval of such laws as are enacted by the council. The general council-house is a spacious and comfortable building, erected by treaty stipulation, with convenient rooms for committees, a gallery, and seats prepared for spectators. The members are paid a per diem pay of two dollars,

and, mileage, from the national funds. Judges are elected, who hold courts at stated periods. No compulsory laws have been enacted to collect debts. The system of credit, when extended between individuals, rests upon the faith of the debtor for payment. The country owned by the Choctaws extends from the Arkansas to Red river, commencing at Fort Smith, and running up the Arkansas to the Canadian, and up the Canadian to the limits of the United States, and with said limits to Red river, down Red river to where a due south line from Fort Smith with the State line of Arkansas strikes Red river.

"These limits embrace a country far in extent beyond the wants of the Choctaws, possessing advantages over any other Indian tribe, by being in the cotton region. On Red river this valuable staple is cultivated by a number of Choctaws and Chickasaws; and, from the best estimate I am able to make of this year's crop, there will be for exportation at least one thousand bales of cotton. There are seven cotton gins in the nation, and, from appearances, there is every reason to calculate that additional gins will be put up next season, and that many of the common Indians will cultivate one or more acres of cotton, which, when sold in the seed to the ginners, will, even at a low price, be a handsome and sure source of income, and stimulate others to increased industry. There are also several grist and saw mills on Red river. Corn, oats, beans, pumpkins, potatoes, and vegetables in great varieties, are raised by the natives. Many of them have built good and comfortable houses, and are preparing their farms with every indication of substantial farmers. Many of the females spin and weave, and do much towards clothing their families by the industry of their own labor. Portions of the country are found peculiarly adapted to raising stock—the prairies affording fine grass for the summer, and an excellent substitute for timothy hay, when cut and cured in proper season. Stocks of cattle, hogs, and horses, are owned by the Choctaws. But little feeding is required, the range, both summer and winter, being abundant for all stock not used, and permitted to go at large. Salt water is also found in the Choctaw nation. The only works at which any quantity is manufactured are on Boggy, about fifteen miles from Red river. They are owned and worked by Colonel David Folsom, a highly intelligent and worthy Choctaw, who has thus far only manufactured a supply commensurate with the demand. Many of the Texians get their supply of salt from these works.

"The Choctaws have four blacksmiths, furnished under treaty stipulations; two of these, with all the strikers or assistants, are natives. They have also some eight or ten shops, belonging to the nation, which are only worked during the very busy ploughing season, by employing native strikers, with the promise that they shall have a shop when qualified to take charge of one. Great inducements are held out to natives to become good blacksmiths. By these means the nation will have mechanics of their own, when these treaty stipulations, which are temporary, expire. There are also other mechanics found in the nation.

"The Chickasaws, as already stated, are by treaty amalgamated with the Choctaws; they speak the same language, and have intermarried with each other for many years past; they lived adjoining previous to their emigration. The Chickasaws have a separate fund, arising from the proceeds of the sale of their valuable country. This is under the general control of the Chickasaw chiefs, separate and distinct from any supervision of

the Choctaws. In every other respect they enjoy equal rights and privileges, except as to the funds owned by each.

"Since the emigration of the Chickasaws, a large number of the tribe have been indisposed to work. The very liberal provision allowed by their treaty, giving to each certain reservations of land, has been the means of affording large sums of money from the sales of these lands. This accession of wealth, acquired without industry, has proved rather a source of evil to many, who, finding themselves suddenly in possession of so much money, have lived on it, without making proper exertions to provide for themselves when these means shall have been expended. Others have taken care of their money, and have opened extensive farms, purchased stock, and such things as were requisite for persons in a new country.

"The Creeks, in point of numbers, are equal if not greater than any of our tribes. They number at least twenty thousand strong, and have given evidence in times past that they were good warriors. Since their emigration they have manifested, on all occasions, the greatest friendship for the United States. They have been divided into what is called Upper and Lower Creeks. Although this distinction still exists, there is but one principal chief of the Creek nation, (Gen. Roly McIntosh.) They have not advanced as far as either the Cherokees or Choctaws in passing regular laws. Annually they are improving in this respect; and lately, very much to their credit, and for the benefit of their people, they have passed a very severe law against the introduction of spirituous liquor into their country. There are very few mixed bloods in the Creek nation: it is, therefore, a work of more time and labor to introduce written laws. The Creeks have a great wish to educate their people, and show clearly, by the improvements they have made since their emigration, that they have done some good. The country they own is well adapted to raising corn, beans, pumpkins, and melons. A number of the natives have raised quite a quantity of rice—a novel production in this country, but which seems to grow quite well. The Creeks are getting good stocks of horses, cattle, and hogs, and many of them putting up comfortable log cabins. They have extended their settlements further west of late, and have yet a large scope of country unoccupied. The Creeks, to some extent, still cultivate in towns; many, however, work separate fields, and amongst all the Indian tribes it is conceded that none make corn in more abundance than the Creeks. They have four blacksmiths, two wagon makers or wheelwrights, furnished them by treaty stipulations; these, with a requisite supply of iron and steel, &c., enable them to have such work done as answers their agricultural purposes. They have also some schools in their nation, and receive from the Government of the United States, under treaty stipulations, a considerable annuity."

"The Senecas, Senecas and Shawnees, with the Quapaws, who are located immediately adjoining each other, with the Cherokees on one side and Missouri on the other, constitute what is termed the Neosho sub-agency. The country they occupy, though small, lies compact, and is both ample in extent of territory and fertility of soil for the wants of the small tribes for whom it is designed. Each of those bands cultivates separately. They have blacksmiths to do their work, and one of them a farmer to aid them in preparing their grounds, and giving them a general knowledge of farming. They raise corn, beans, vegetables of different kinds, and also raise wheat, which grows well in their country. One of the tribes has a good grist and saw mill. Flour is manufactured to a considerable extent at

these mills. Being located so near the Missouri line, the citizens have large quantities of wheat manufactured into flour at these mills. There is no tribe of Indians that could be more comfortable than those within the Neosho sub-agency. Their country is rich, healthy, and finely watered. They are, however, so near the Missouri line, where spirituous liquor can be so easily obtained, that every temptation [is] held out to them, by establishing whiskey shops for their accommodation. All these temptations are not easily resisted by Indians, and prove their greatest curse.

"The different tribes within this superintendency may be estimated at seventy thousand, exclusive of the wild tribes of the prairies. Amongst them may be numbered some of the best warriors. Although the military force on the frontier is very small, the most uninterrupted peace has been maintained since the emigration of the Indians. Each tribe has allotted to it a country fertile and extensive. Many of them are farmers and graziers, and take a deep interest in the welfare of our own Government, in whose hands large investments are held for the benefit of these tribes.

"Justice requires at our hands that a faithful fulfilment of the various treaty obligations be strictly complied with. This done, and a mild and judicious policy observed towards the Indians, we may expect a continuance of peace, with a fair prospect of civilization, or at least improving the condition of a race of people that are entitled to our deepest sympathy."

From the statement just made, it will be seen that the condition of several of the tribes has been greatly improved, so much so, that no doubt can be entertained of their ultimate and perfect civilization, under a favorable state of circumstances. Hitherto, as has been before remarked, their improvement has been greatly impeded by their unsettled condition, their collisions with their white neighbors, and the discontent occasioned by their compulsory ejection from their lands. These obstacles to their improvement no longer exist. They are now settled, at peace with the United States and amongst themselves, and in a temper and condition much more favorable to their improvement than at any former period since the effort for their civilization began. We have a right, therefore, to expect a more rapid advancement in future. And, in the prospect of this, are we at liberty, consistently with obligations of humanity and justice, leaving out of view our pledges and promises, to abandon the effort so long persevered in, and under circumstances so much less favorable?

But considerations of justice and humanity are not the only ones which forbid the discontinuance of these appropriations. Disaffection towards the United States, on the part of the tribes from whom they are withheld, will be sure to ensue. Nor is it likely that such disaffection will be confined to those tribes. It will extend itself to others. The congregation of tribes located, by the policy of the Government, just beyond the frontier settlements, and entitled to annuities, though not upon the same condition, will become alarmed, in expectation of similar treatment. An Indian war, in which all the tribes will unite, will probably be the consequence. In such event, the danger will be formidable. A contest with the numerous warlike tribes residing upon the frontier will be different from that which has been waged for years with the miserable handful of Seminoles in Florida, though it could hardly be more disastrous, expensive, or disgraceful. At present, most of these tribes are engaged in peaceful pursuits, and are peacefully inclined towards the United States; and it is our true policy, both on their account and our own, to cultivate this friendly disposition.

A war would not only be expensive to us, but would retard their advancement in civilization, and defeat, for years to come, the humane object, which promises to be speedily accomplished by continuing to pursue towards them a mild, peaceful, and parental policy.

The following statement shows the aggregated numbers, and the numbers by tribes, of all the Indians on the frontier west of the Arkansas and Missouri, and between the confines of Texas and the northern limit of the lands to which the Indian title has been extinguished.

Names of tribes.	Numbers.	Remarks.
Choctaws - -	15,177	Removed to the frontiers by Government.
Creeks - -	24,594	Do do do
Florida Indians -	3,511	Do do do
Cherokee Indians -	25,911	Do do do
Osages - -	5,120	Indigenous tribe.
Quapaws - -	476	Do
Senecas & Shawnees	211	Removed west by Government.
Senecas - -	251	Do do
Chippewas, Ottowas, and Pottawatomies	2,000	Removed west by Government.
Otoes & Missourias	1,000	Indigenous Western tribe.
Peorias and Kaskas- kias - -	132	Removed west by Government.
Piankeshaws - -	162	Do do
Weas - -	225	Do do
Shawnees - -	1,272	Do do
Kansas - -	1,606	Indigenous Western tribe.
Delawares - -	826	Removed west by Government.
Kickapoos - -	588	Do do
Swan Cr. and Black River Chippewas	51	Do do
Stockbridges, Mun- sees, and Delawares	180	Do do
Iowas - -	1,500	Do do
Sacs of Missouri -	500	Do do
Chickasaws - -	4,600	Do do
Ottowas of Maumee	428	Do do
	90,320	

The committee are fully aware that our Indian relations are a source of heavy expense to the Government. They know, likewise, that the expenses incurred in various transactions connected with the removal and support of the Indians have been the subject of just complaint on the part of the people. But this complaint has had no relation to the amount appropriated for the civilization of the Indian tribes. The American people have never objected to the sums expended in the benevolent effort to

elevate the condition of a people, who have, in many instances, received hard measure at the hands of the Government. They have always sympathized with the Indians in the wrongs which they have endured; and it is the extravagant contracts, enuring to the benefit of citizens of the United States, and the dishonesty of agents employed in transactions between the Indians and the Government, by which both have been defrauded, which now calls forth their animadversion. These are evils; but they are such as would be in no wise remedied by the discontinuance of appropriations, to which, in the judgment of the committee, the Government is pledged by all the considerations of humanity, justice, and good faith.

By the annexed statement, it will be seen that a large majority of the appropriations which form the subject of this inquiry depend for their continuance on the discretion of the Executive. It may not, therefore, be improper to suggest, whether, the President having been invested with this discretion, Congress has any right to discontinue such appropriations, until he shall have signified that they are no longer "necessary for the best interests of the Indians;" this being the criterion, under the treaties, by which his discretion is to be exercised in the matter. The committee, however, have no desire to rest the right of the Indians on mere technical grounds; they regard the equity, honor, and humanity of the nation, as better security to these people than any mere legal obligation.

The following tabular statement shows the several sums payable to each tribe, under treaty stipulations, where the payment of the same is discretionary with Congress or the Executive; the date of the treaties in which such payments are stipulated; the quantity of land ceded to the United States by the tribes for which such payments are provided; the number of souls in each tribe; and the extent of country occupied by each.

Names of tribes.	Amount payable.	For what purposes.	Date of treaty.	Land ceded to Government.	Number of Indians.	Extent of territory occupied.			
1. ANNUITANTS AT THE DISCRETION OF THE PRESIDENT.				Acres.		Acres.			
Chippewas of Saganaw - - -	\$2,000	Blacksmiths, &c. - - -	September 24, 1819,—Article 8	6,300,000	993				
Creeks - - - - -	1,100	Do. - - - - -	February 14, 1833, " 5	24,766,400	25,338	9,000,000			
Do. - - - - -	600	Wheelwright and wagonmaker - - -	" " " 5						
Do. - - - - -	1,000	Education - - - - -	" " " 5						
Do. - - - - -	2,000	Agricultural implements, &c. - - -	January 24, 1826, " 8	11,053,440	26,911	13,800,000			
Cherokees - - - - -	4,440	Blacksmiths, iron, &c. - - -	February 14, 1833, " 4						
Do. - - - - -	1,200	Wheelwright, wagonmaker, &c. - - -	" " " 4						
Omahas - - - - -	940	Blacksmith, &c. - - -	July 15, 1830, " 4	-	1,600	4,990,720			
Do. - - - - -	500	Agricultural implements, &c. - - -	" " " 4						
Otoes and Missourias - - -	940	Blacksmiths, &c. - - -	" " " 4						
Do. do. - - - - -	500	Education - - - - -	September 21, 1833, " 4	-	1,000	1,536,000			
Do. do. - - - - -	1,200	Farmers - - - - -	" " " 5						
Pawnees - - - - -	2,000	Agricultural implements - - -	October 9, 1833, " 4		-	12,500	16,000,000		
Quapaws - - - - -	1,000	Education - - - - -	May 13, 1833, " 3	51,786,560					
Do. - - - - -	1,060	Blacksmiths, &c. - - -	" " " 3						
Do. - - - - -	600	Farmers - - - - -	" " " 3	-	21,600				
Sioux of the Mississippi - - -	1,060	Blacksmiths, &c. - - -	July 15, 1830, " 4						
Do. do. - - - - -	700	Agricultural implements - - -	" " " 4						
Yancton and Santie Sioux - - -	940	Blacksmiths - - - - -	" " " 4	-	21,600				
Do. do. - - - - -	400	Agricultural implements - - -	" " " 4						
Sacs and Foxes of the Mississippi	1,060	Blacksmiths - - - - -	August 4, 1824, " 4						
Do. do. do. - - - - -	800	Agricultural implements - - -	" " " 4	7,266,000	2,300	10,000,000			
Shawnees - - - - -	1,060	Blacksmith, &c. - - -	November 7, 1825, " 4						
Do. - - - - -	1,060	Do. - - - - -	August 8, 1831, " 4						
Senecas and Shawnees - - -	1,060	Do. - - - - -	July 20, 1831, " 4	692,480	1,272	1,700,000			
				39,680	211	60,000			

Senecas - - - -	1,060	Do. - - -	February 28, 1831,	" 4	}	40,000	251	67,000
Do. - - - -	600	Do. - - -	" "	" 4				
2. ANNUITANTS AT THE DISCRETION OF CONGRESS.								
Chippewas of Saganaw - -	1,000	Education - - -	August 5, 1826,	" 6	}	6,300,000	993	
Chippewas, Menomonies, and others	1,500	Do. - - -	August 11, 1827,	" 5		-	4,000	
Miamies - - - -	2,000	Do. and support of poor -	October 23, 1826,	" 6	}	6,853,020	1,100	44,640
Pottawatomies - - - -	2,000	Do. - - -	October 16, 1826,	" 3				
Do. - - - -	1,000	Do. - - -	September 20, 1828,	" 2	}	7,095,680	2,654	
Pottawatomies of Indiana - -	2,000	Do. - - -	October 27, 1832,	" 4		737,000	1,346	
	40,380							

NOTE.—The occasional blanks in the above statement have occurred in cases where the boundaries were too generally indicated, or the cessions too much a joint matter of several tribes to admit of a satisfactory ascertainment of the number of acres.

OFFICE INDIAN AFFAIRS, *March 29, 1842.*

Since the preparation of this report, a letter was addressed to the Secretary of War, by the chairman, desiring his opinion on the general questions embraced in the resolution instructing the committee to make this inquiry, to which the following answer was received. By reference to the letter of the Secretary, it will be seen that his views are strictly coincident with those contained in the report :

WAR DEPARTMENT, *June 8, 1842.*

SIR: Your letter of the 29th ultimo, requesting the opinion of this Department upon the general subjects embraced in the resolution of the House of Representatives respecting the repeal of the act of March 3, 1819, for the civilization of the Indian tribes and the discontinuance of the annual appropriations for similar purposes, under various treaties with Indian tribes, which are dependent on the discretion of Congress, was duly received, and referred to the Commissioner of Indian Affairs, whose report is herewith submitted. It exhibits the amount expended for the different means of civilizing the Indians, and the sums contributed by benevolent societies for the same purpose.

So far as any statistical information can exhibit the results of these humane efforts, it appears that they have been quite successful. There are thirty-seven schools and eighty-five teachers, devoted to the instruction of Indian children, the total number of the latter being, from the latest returns, 1,283.

But very little of what is accomplished can be shown by figures. The gradual advances in civilization, improvement in morals, and in the agricultural and mechanical arts, elevation of mind, and love of peace, cannot be measured. Yet these have been attained, in a greater or less degree, among all the Indian tribes, for whose benefit the civilization fund has been applied. All our reports, and all the information we receive from agents, teachers, and travellers, concur in representing that the most benign results have flowed from the feeble efforts (feeble when compared with our means and their necessities,) to ameliorate the condition of the Indians. But if our exertions had been wholly fruitless, it seems to me there are considerations to induce perseverance, which appeal so strongly to every just mind, conscious of its duties and its responsibilities, that they cannot be disregarded.

Who brought these Indians to their present condition? Who deprived them of the means of pursuing that mode of life to which they were fitted, and in which they were happy? Who enervated their bodies and degraded their minds by the contamination of the vices of the white man? And does not a fearful obligation rest upon us to mitigate, if we cannot arrest, the evils which our rapacious dominion has so profusely dealt to them? In the dark history of our connexion with the aborigines, who does not dwell with delight on the page that records the instance of a returning sense of justice, which appropriated, from the millions upon millions that have flowed from the lands we wrested from them, the poor pittance of an annuity of ten thousand dollars, to save them from utter degradation and wretchedness! It cannot be, that in this age, so distinguished for benevolent exertions to enlighten and improve our race, an American Congress can be found to tear this bright page from our statute book, and leave nothing but the records of oppression and injustice.

But, in reference to our own interests, if an appeal so sordid be neces-

sary, there can be no doubt of the wisdom of a just policy. We have no other means of creating or cultivating feelings of friendship, or even of respect for the white men, among the numerous and powerful tribes who inhabit our borders, than by acts of kindness. Every step they take towards civilization removes them from the habits of the hunter life, and from the warlike dispositions which it engenders; and every advance towards Christian knowledge diminishes their ferocity, and disposes them to peace. Every child among them who is instructed becomes a new ligament to bind them to the duties and obligations of civilized life. By these influences, the safety of our frontiers will be better secured than by the use of arms.

I have thus, pursuant to your request, thrown together some thoughts on the subject referred to the Committee on Indian Affairs. I have found it difficult to restrain the expression of my feelings within the bounds required by an official communication; and, if they have been transgressed, the apology, it is hoped, will be found in the nature of the subject.

It is almost superfluous to add my opinion that no act could be more unjust, more hostile to the dictates of humanity and religion, or more impolitic, than a repeal of the noble act which admitted our obligations to the depressed and degraded Indian.

As to that part of the resolution which relates to the discontinuing the annual appropriations for the same object, under various treaties with the Indian tribes, which depend on the discretion of Congress, I have to remark that, while they fall within the scope of the foregoing observations, they in truth are not dependent on the discretion of Congress. Although such may be the words employed, yet the Indians never so understood the provisions referred to. They supposed, and were so informed, that they were inserted to conform to our Constitution, which gave to Congress the exclusive power of appropriating money; but that so long as the tribes existed, and were in a condition to require such aid, it would be granted. This is the information given by those who are best acquainted with our Indian negotiations. And it is confirmed by the official views presented of the considerations allowed for the lands ceded by the different treaties, in which these annuities are always reckoned as perpetual. To the general considerations already urged against disturbing funds consecrated to justice, humanity, and benevolence, may be added, in respect to this portion of them, that the discontinuance of these annuities would be a palpable breach of the public faith.

I have the honor to be, sir, your obedient servant,

J. C. SPENCER.

HON. JAMES COOPER,

Chairman Committee on Indian Affairs, H. R.

